

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

RYAN BRESLOW, ALEX FINE, and JON
GORDON,

Plaintiffs,

Action No.: 23-cv-20727-ALTMAN/Reid

vs.

Honorable Roy K. Altman

MARK PHILLIPS and BENJAMIN REED,

Defendants.

AMENDED¹ DECLARATION OF RYAN BRESLOW

I, Ryan Breslow, make the following declaration based on my personal knowledge:

1. My name is Ryan Breslow. I am over the age of 18, competent to testify, and have person knowledge of the matters stated herein.
2. I am a resident of the United States Virgin Islands.
3. In 2021, Jon Gordon, Alex Fine, and myself (collectively, the “Plaintiffs”) founded a new cryptocurrency platform called the Movement DAO (“DAO” or “Movement DAO”).

¹ Due to the speed and exigency of the proceedings in this case, and due to the similar name of the webpages, Exhibit B to the originally filed Declaration of Ryan Breslow inadvertently included an incorrect document that is similarly named to the document Plaintiffs intended to file. This Amended Declaration of Ryan Breslow attaches the proper webpage as Exhibit B, and amends the language in paragraph 24 accordingly.

4. We intended for the Movement DAO to function as an online community, with community members contributing capital into the DAO endowment. That endowment would then be invested, and the proceeds from the investment returns would be used to fund DAO community projects.

5. On multiple occasions, Defendant Phillips represented to me that dao-lawfirm was the Law Office of Reed Yurchak. Defendant Phillips also represented to me, including prior to February 2022, that Mr. Yurchak's firm was a signatory to the DAO endowment account.

6. Defendant Phillips created the DAO endowment account at my direction in January 2022.

7. In early 2022, Defendant Phillips induced me to entrust him with my authorization tokens for the DAO endowment's Gnosis account by repeatedly assuring me that he was trustworthy. When I entrusted Defendant Phillips with my voting tokens and DAO endowment keys, implicit in that custodial relationship was the representation that Defendant Phillips would not take any action to disable them, render them useless, or otherwise not destroy my ability to use them for their intended purpose.

8. The Movement DAO did not launch on February 2, 2022. The only thing that occurred on February 2, 2022 was the online publication of the Gitbook white paper and the commencement of the MOVE token presale. The DAO endowment account's ENS (Ethereum Name Service) name makes it clear that the project was in pre-launch on February 2, 2022 and continues to be so today. The ENS name associated with the DAO endowment account—0x143cC0A996De329C1C5723Ee4F15D2a40c1203c6—is **Movement DAO:Presale**. See Dkt. No. 24-1, Exhibit 1.

9. It was understood and discussed by myself, Mr. Breslow, Mr. Gordon, and Defendant Phillips that the Movement DAO project would launch only after Mr. Breslow authorized it to launch. It was also understood and discussed among the four of us that Snapshot proposals would only be binding if passed after the Movement DAO project had launched.

10. I never authorized the launch of the Movement DAO project.

11. MOVE tokens function as voting power within the Movement DAO community (i.e., one MOVE token is equivalent to one vote). MOVE tokens are to be used by Movement DAO community members to vote on proposals related to, among other things, the governance of the Movement DAO. *See* Dkt. No. 24-1, Exhibit 2 at 41 (Docket Page) (“The \$MOVE token governs the platform. These token holders are responsible for growing the endowment and deploying capital into movements.”).

12. Without MOVE tokens, Movement DAO community members do not have authority to pass governance proposals, make decisions regarding finances, or pass any other resolution relating to the Movement DAO project. Dkt. No. 24-1, Exhibit 2 at 46 (Docket page) (“The Movement DAO is governed by its staked token holders. \$MOVE tokens represent the power to influence change to governance, economics, and incentives in the Movement DAO.”).

13. As described in the Gitbook white paper, the deployment of MOVE tokens was a necessary condition that had to occur before Movement DAO community members would receive the authority to pass binding resolutions via Snapshot concerning the Movement DAO endowment and treasury. The Gitbook states “[a]fter the initial \$MOVE distribution via contributions to the endowment...the community will manage the remaining treasury through Snapshot.” Dkt. No. 24-1, Exhibit 2 at 47 (Docket page).

14. I have never received any MOVE tokens, and MOVE tokens were never created or distributed to contributors to the DAO endowment account.

15. Because MOVE tokens were never created or distributed, the Movement DAO community never received authority or authorization to pass binding proposals on the Movement DAO project or the DAO endowment account.

16. The proposals that were passed by the Movement DAO community via Snapshot in August 2022 and February 2023 are non-binding, advisory, and lacking any authority because, among other things, the Movement DAO project had not launched and because votes were not cast using MOVE tokens.

17. The Movement DAO was created by myself, Mr. Gordon, and Mr. Fine based on several core, fundamental precepts. One such precept was that the DAO endowment would never be spent. This principle was expressly stated in the Gitbook white paper. *See* Dkt. No. 24-1, Exhibit 2 at 58 (Docket Page). Rather, all operational expenses and funding for social impact projects hosted on the Movement DAO platform were to be financed by the yields earned from the investment of the DAO endowment.

18. The DAO endowment was never deployed or invested to earn additional proceeds. This deployment did not occur because the Movement DAO project never launched.

19. In order for the Movement DAO to function, it necessarily requires a platform with a user interface that a social impact group can access to establish their own DAO. Without this user interface, the prospective user cannot access or utilize the applications and tools hosted on the Movement DAO platform. This user interface was contemplated as a public website, with tools available on the platform that enabled social impact groups to create and manage their own DAOs to organize, fundraise, and perform other activities related to its social impact mission.

20. The Movement DAO never hosted or otherwise launched a user interface to create social impact projects under the Movement DAO. As a result, the Movement DAO platform has not and currently does not host any social impact projects.

21. Juicebox is a fundraising platform that has similar features to what was envisioned for the Movement DAO. For example, the Juicebox website has a user interface by which a user can create a project and use that project as a platform to support fundraising efforts. Attached as Exhibit A is a true and accurate copy of two webpages on the Juicebox website: <https://juicebox.money/> and <https://juicebox.money/create>. As reflected in these screenshots, Juicebox's homepage contains a button called "Create a project" that directs a user to a "Create" page. From this page, a user inputs a variety of information needed to launch their own project's fundraising platform, including a project description, associated tokens, payouts, deadlines, and deployment.

22. It has always been the intent for the Movement DAO project to have a website with a similar user interface to those on Juicebox's webpage. A website for the Movement DAO project with features akin to Juicebox's user interface did not exist on February 2, 2022, and the Movement DAO Project has never had such a website.

23. Juicebox is not an extension of Movement DAO or otherwise affiliated with Movement DAO.

24. In February 2022, I started a fundraising project on the Juicebox platform called Peace DAO Movement ("PeaceDAO"). PeaceDAO was a project dedicated to providing humanitarian aid to Ukraine. PeaceDAO was not formed on the Movement DAO platform because no such platform existed. However, I asked members of the Movement DAO community to help with my PeaceDAO project, which they did in the form of coding, organization, and outreach. As

thanks and compensation for the time and talent provided by the Movement DAO community members, I directed PeaceDAO to pay a “tribute” (a small payment) to the Movement DAO. Attached as Exhibit B is a true and accurate copy of the landing page for PeaceDAO on the Juicebox platform.

25. Had the Movement DAO platform launched in February 2022, I would have used it to launch PeaceDAO.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of April 2023.


DocuSigned by:

B80596C4C546486...
Ryan Breslow

Exhibit A

[Explore](#)[Discord](#)[Resources](#) ▾

EN

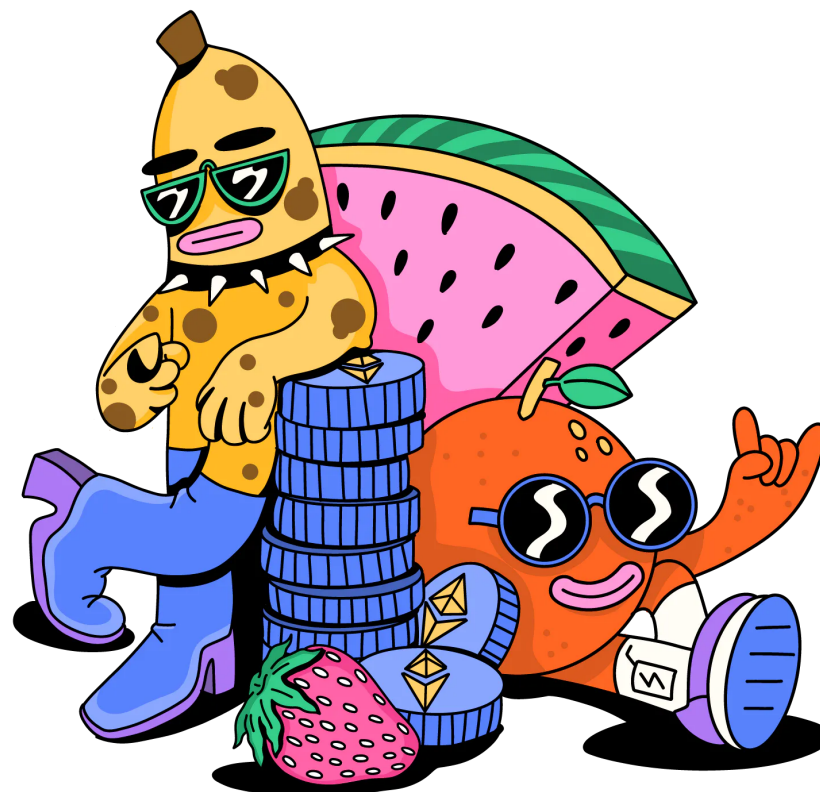
[Connect](#)

Fund anything.

The programmable crypto fundraising protocol for builders and creators. Light enough for a group of friends, powerful enough for a global network of anons. Community-owned, on Ethereum.

Built for:

- ⚡ DAOs
- ⚡ Crowdfunding
- ⚡ NFT projects
- ⚡ Indie creators and builders

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CREATE A PROJECT

DETAILS

CYCLES

PAYOUTS

TOKEN

NFTS

DEADLINE

DEPLOY

Project Details

Enter your project's details. You can edit your project's details at any time after you deploy your project, but the transaction will cost gas.

* Project name

Project description

Logo

 Upload

Project links (Optional)



Project owner (Optional)



Project page customizations (Optional)



Next

Exhibit B



Connect



Peace DAO Movement

Twitter Discord V1.1

@peace Owned by peace.movedao.eth

The Peace DAO Movement is a decentralized, member-based organization that was founded to support people impacted by the crisis in Ukraine. Members will channel donations and vote on the direction of funding to organizations, causes, and activities the community supports. The project creators have arranged for subject matter experts to conduct town halls, evaluate proposals and advise on the best use of proceeds. As an incentive for community participation, the DAO will airdrop NFTs as awards to contributors. Ongoing community nominated Peace Movement leadership will also curate both visual and music NFTs, some of which will be exclusive to members. ryan-breslow.eth will match Peace DAO at 100 Ξ . [Read less](#)

TOTAL VOLUME Ξ 26.82

PROJECT BALANCE Ξ 0.27308

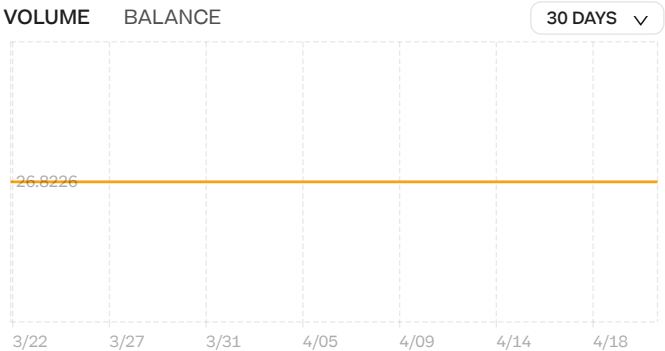
OWNER WALLET BALANCE 41,697.7568 JBX + Ξ 3.62

ALL ASSETS

0 ETH

Peace

Receive 500,000 PEACE/1 ETH or buy PEACE on an exchange.



Activity		All events
Paid	Ξ 0.01606	7 months ago
juicebox.money/assets...ao.png		
Paid	Ξ 0.01148	7 months ago
juicebox.money/assets...ao.png		
Paid	Ξ 0.06766	9 months ago
NIB Peace DAO		
Paid		9 months ago

Tokens ⓘ

Address: 0xdE4330...58E6A1

Total supply: 27,822,582

Holders

Cycle ⓘ

CURRENT ⓘ UPCOMING ⓘ HISTORY

> Cycle #3 ⓘ

0.27308
AVAILABLE ⓘ
33.1095 distributed

Send payouts

Payouts ⓘ

peace.movedao.eth 🏠:	85%
gnosis.movedao.eth:	15%

Reserved PEACE (50%) ⓘ

peace.movedao.eth 🏠:	69%
gnosis.movedao.eth:	15%
ryan-breslow.eth:	2%
0x4f6dCF...1d1C52:	2%
partypants.eth:	2%
pillowfightclub.eth:	2%
service-provider.eth:	2%
jimmyethworld.eth:	2%
natasha-pankina.eth:	2%
tankbottoms.eth:	2%

136,541.6 PEACE reserved

Send reserved PEACE

0.069

Together we go further



Paid

0.042



Paid

0.06689

juicebox.money/assets...ve.png

Sent Payouts

14.9849

peace.movedao.eth:	12.7371
gnosis.movedao.eth:	2.2477
peace.movedao.eth:	~0

Sent Reserved PEACE

13,774,749 PEACE

peace.movedao.eth:	9,504,577 PEACE
gnosis.movedao.eth:	2,066,212 PEACE
ryan-breslow.eth:	275,494 PEACE
0x4f6dcf...1d1c52:	275,494 PEACE
partypants.eth:	275,494 PEACE
pillowfightclub.eth:	275,494 PEACE
service-provider.eth:	275,494 PEACE
jimmyethworld.eth:	275,494 PEACE
natasha-pankina.eth:	275,494 PEACE
tankbottoms.eth:	275,494 PEACE

Paid

10.5



Sent Payouts a year ago [🔗](#)
11.7073 tankbottoms.eth → peace.movedao.eth
peace.movedao.eth: 9.9512
gnosis.movedao.eth: 1.7561
peace.movedao.eth: ~0

Transferred ETH To Project a year ago [🔗](#)
6.56 0xe1b765...5f8ac6

Paid a year ago [🔗](#)
0.74
for Peace, in partnership with iamFM

Paid a year ago [🔗](#)
0.01444
Peace for all



Paid a year ago [🔗](#)
0.1

Paid a year ago [🔗](#)
0.1
👉

Sent Payouts a year ago [🔗](#)
5.6098 tankbottoms.eth → peace.movedao.eth
peace.movedao.eth: 4.7683
gnosis.movedao.eth: 0.84146
peace.movedao.eth: ~0

Paid a year ago [🔗](#)
0.1

Paid a year ago [🔗](#)
0.3

Paid	a year ago
Ξ0.1	
Peace	
	
Paid	a year ago
Ξ0.05	
👉	
Paid	a year ago
Ξ0.08	
Paid	a year ago
Ξ0.3	
Paid	a year ago
Ξ0.04	
Paid	a year ago
Ξ0.069	
Paid	a year ago
Ξ0.1	
Peace <3	
Paid	a year ago
Ξ0.1	
	

Paid a year ago

Ξ0.2

All we are saying is give peace a chance.- John Lennon

Paid a year ago

Ξ0.1

LFG! Solarpunk the shit out of social problems

Paid a year ago

Ξ0.01



Paid a year ago

Ξ0.01



Edited Cycle a year ago



Duration: --
Payouts: Ξ1.1579
Reserved rate: 50%
Redemption rate: 100%
Issuance reduction rate: 0%
Edit deadline: No deadline
Owner token minting: No
Payments to this project paused: No

Deployed ERC20 Token a year ago

PEACE

Paid a year ago

Ξ0.01

If the community comes together and raises 100 Ξ for Peace
DAO Movement, I'd be honored to match. Come hear the CTO of
rescue.org discuss community options on the use of proceeds.
discord.gg/movexyz

Paid a year ago

0.001

PEACE ANGELS NFT , the NFT for PEACE DAO
juicebox.money#/p/pea...elsdao opensea.io/PEACEDAO...
=created



Paid a year ago

0.25

🔥🕊️🕊️ Make hot steamy love not war.

Paid a year ago

0.07447

More love <3

Paid a year ago

0.01

Peace n love



Paid a year ago

0.43

Paid a year ago

0.1883

Paid a year ago

0.001

Paid a year ago

5

WAGMI!

Paid a year ago [🔗](#)
Ξ0.0387

Paid a year ago [🔗](#)
Ξ1
👉

Paid a year ago [🔗](#)
Ξ0.08

Paid a year ago [🔗](#)
Ξ1
F**k tank tops. Peace.



Paid a year ago [🔗](#)
Ξ1
all in on peace, all in on tankbottoms

Paid a year ago [🔗](#)
Ξ0.5
So pumped to support Peace Movement!

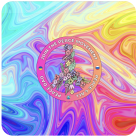
Paid a year ago [🔗](#)
Ξ0.1
👉

Paid a year ago [🔗](#)
Ξ1.5

Paid a year ago [🔗](#)

Ξ0.5

peace.move.xyz is tight!



Paid

a year ago [🔗](#)

Ξ0.45

Paid

a year ago [🔗](#)

Ξ0.40258

jd

Edited Cycle

a year ago [🔗](#)

[👤](#) tankbottoms.eth

Duration: --

Payouts: Ξ1.1579

Reserved rate: 50%

Redemption rate: 100%

Issuance reduction rate: 0%

Edit deadline: No deadline

Owner token minting: No

Payments to this project paused: No

Paid

a year ago [🔗](#)

Ξ1

Peace



Edited Cycle

a year ago [🔗](#)

[👤](#) tankbottoms.eth


Duration: --


Payouts: Ξ1.1579


Reserved rate: 0%

Redemption rate: 100%
Issuance reduction rate: 0%
Edit deadline: No deadline
Owner token minting: No
Payments to this project paused: No

Created

Project created 

a year ago 

 tankbottoms.eth

56 total

[Back to top](#)